

**SUMMARY REPORT OF INVESTIGATION<sup>1</sup>****I. EXECUTIVE SUMMARY**

Date of Incident:	June 14, 2017
Time of Incident:	9:23 pm
Location of Incident:	XXXX S. Dearborn St., Chicago, IL
Date of COPA Notification:	August 10, 2017
Time of COPA Notification:	11:02 am

On June 14<sup>th</sup>, 2017, Subject 1 was invited to the residence of Police Officer A, Star XXXXX, located at XXXX S. Dearborn Street. Subject 1 and Officer A had dated previously but were not in a relationship on June 14<sup>th</sup>, 2017. At some point in the evening, an altercation occurred between Officer A and Subject 1. Officer A left his residence and drove to his sister's home. Officer A returned to his residence on June 15, 2017, and subsequently went to the First District and an original case incident report was generated based on property damage at Officer A's residence that he attributed to Subject 1. Subject 1 and Officer A continued to communicate with one another between June 14<sup>th</sup>, 2017 and August 14<sup>th</sup>, 2017. In addition, Subject 1 sent emails detailing the June 14<sup>th</sup> altercation to officers that worked with Officer A. Officer A's coworkers forwarded Subject 1's emails to their sergeant, who created an initiation report. On August 10<sup>th</sup>, 2017, COPA received that report from Sergeant A, alleging Officer A committed acts of domestic violence against Subject 1. COPA reviewed the allegations.

**II. INVOLVED PARTIES**

Involved Officer #1:	Officer A, Star # XXXXX, Employee ID # XXXXXX, Date of Appointment: XX/XX/2006, Police Officer, Unit XXX, DOB: XX/XX/1980, Male, White
Subject #1:	Subject 1 , DOB: XX/XX/1973, Female, Asian

<sup>1</sup> On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

### III. ALLEGATIONS

Officer	Allegation	Finding
Police Officer A	<p>1. It is alleged that on June 14, 2017, at approximately 9:23 PM at XXXX S. Dearborn St., Chicago, IL, Officer A stated to Subject 1, "I wish I would have shot and killed you." in violation of Rule 2, Rule 8, and Rule 9 of the Chicago Police Department Rules of Conduct.</p>	1. Not Sustained
	<p>2. It is alleged that on June 14, 2017, at approximately 9:23 PM at XXXX S. Dearborn St., Chicago IL, Officer A grabbed Subject 1 about the throat in violation of Rule 1, Rule 2, Rule 8, and Rule 9 of the Chicago Police Department Rules of Conduct.</p>	2. Unfounded
	<p>3. It is alleged that on June 14, 2017, at approximately 9:23 PM at XXXX S. Dearborn St., Chicago IL, Officer A scratched Subject 1 about the body in violation of Rule 1, Rule 2, Rule 8, and Rule 9 of the Chicago Police Department Rules of Conduct.</p>	3. Unfounded
	<p>4. It is alleged that on June 14, 2017, at approximately 9:23 PM at XXXX S. Dearborn St., Chicago IL, Officer A pushed Subject 1 about the body in violation of Rule 1, Rule 2, Rule 8, and Rule 9 of the Chicago Police Department Rules of Conduct.</p>	4. Unfounded
	<p>5. It is alleged that on April 9, 2018, at approximately 9:15 AM at 555 W. Harrison St., Chicago, IL, Officer A threatened Subject 1 by stating something to the effect of, "Karma is going to get you Subject 1. Karma is going to get you." in violation of Rule 2, Rule 8 and Rule 9 of the Chicago Police Department Rules of Conduct.</p>	5. Unfounded

#### IV. APPLICABLE RULES AND LAWS

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##### Rules

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1. **Rule 1** – Violation of any law or ordinance.
  2. **Rule 2** – Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
  3. **Rule 8** – Disrespect to or maltreatment of any person, while on or off duty.
  4. **Rule 9** – Engaging in an unjustified verbal or physical altercation with any person, while on or off duty.
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##### General Orders

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1. **GO 01-01 Mission Statement and Core Values**
  2. **GO 03-02 Use of Force**
  3. **GO 03-02-01 Force Options**
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#### V. INVESTIGATION<sup>2</sup>

##### a. Interviews

**Subject 1** gave a digitally recorded interview to COPA on January 3, 2018. In her statement, Subject 1 stated that on June 13, 2017, she was invited to Officer A's residence at XXXX S. Dearborn St., Chicago, IL. Subject 1 stated she and Officer A ended their relationship prior to June 13, 2017, but she was invited over to Officer A's residence and they had dinner together. Subject 1 stated that she stayed overnight at Officer A's residence into the morning June 14th, and then Officer A went to work. Subject 1 stated she returned to Officer A's residence later that night for dinner. Subject 1 further stated that she and Officer A both drank wine, and Officer A drank approximately a bottle and a half of wine.

Subject 1 stated she and Officer A eventually got into bed together and had a conversation during which Subject 1 asked Officer A about another woman and their relationship. Subject 1 then stated she told Officer A he was lying to her, and she got up off the bed and Officer A also got up off the bed. Subject 1 stated Officer A disagreed with her. Subject 1 then stated that she asked Officer A to show her the text messages between Officer A and the other woman, to which Officer A became silent. Subject 1 stated then Officer A struck a glass containing water on a dresser on the side of the bed, which shattered against the wall. Subject 1 then stated she told Officer A she was done and did not want to be around him. Subject 1 then stated she told Officer A she was leaving, but asked how long until the glass and a half or two

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<sup>2</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

glasses of wine would be out of her system and when she could drive home sober, to which Officer A responded she would be fine to drive around 10:30 pm. Subject 1 also stated Officer A told her he would sleep on the couch, and he left the bedroom and entered the living room. Subject 1 then stated Officer A came back into the bedroom to grab his phone, and left again to lay on the couch in the living room.

Subject 1 stated she believed Officer A was then deleting text messages from his phone. Subject 1 stated that at this point, she confronted Officer A about him deleting text messages from his phone, to which Officer A responded that he was reading news on the Chicago Tribune application on his phone. Subject 1 stated she told Officer A she was not going to call the other woman she believed Officer A was dating, but she was going to take record a video, send it to a friend who would then show the other woman. Subject 1 then stated she grabbed her personal phone in her right hand and she grabbed her work phone in her left hand showing the time and date, and started recording a video of herself and Officer A, and she stated, "Hi Officer B, I think you know who I am, and I know you know who this is."<sup>3</sup> Subject 1 stated that after panning the camera to Officer A while she was filming, Officer A got up off the couch and came at her, grabbed her arm, grabbed her phone, grabbed her hair, and threw her to the floor. Subject 1 stated she had a twelve second video capturing Officer A attacking her. Subject 1 stated she was attacked at 9:23 pm. Subject 1 stated Officer A kept grabbing at her arms trying to grab the phone, and she was still holding her personal phone recording in her right hand and work phone in her left. Subject 1 then stated Officer A managed to take her phone she was recording on, but her phone was locked. Subject 1 stated Officer A tried to open her locked phone, but he did not know the correct password. Subject 1 stated she then told Officer A to stop trying to unlock her phone or the phone would erase all her information after too many incorrect attempts to unlock it. Subject 1 then stated Officer A told her that she needed to delete the video, and she responded that she would. Subject 1 stated Officer A gave back her personal phone back that she recorded the video on after she promised to delete the video. Subject 1 stated she was scared and decided to email herself the video, but her phone made a noise when the email sent. Subject 1 then stated Officer A went "ballistic."<sup>4</sup> Subject 1 stated that after hearing the email sent notification, Officer A attacked her and tried to grab her personal phone. Subject 1 then stated, "it was just like a wrestling kind of thing, nothing specific."<sup>5</sup> Subject 1 stated she got her personal phone back from Officer A, but Officer A still had her work phone.

Subject 1 stated she ran to the balcony, but decided not to go out to the balcony, and with Officer A coming at her, she grabbed his guitar and held it. Subject 1 stated Officer A again told her to delete the video, and she responded that if he came closer she would stomp on his guitar. Subject 1 then stated Officer A came at her, she dropped the guitar and ran towards the bedroom, hit a lamp and tried to place it between her and Officer A, blocking his path. Subject 1 stated she tried to shut the bedroom door, but Officer A forced it open. Subject 1 stated she then ran against a wall, picked up a scale to shield her from Officer A, and Officer A hit the scale out of her hands. Subject 1 then stated she picked up a lamp and threw it at Officer A, and he swatted the lamp down. Subject 1 stated Officer A still demanded the phone and she refused to give him her phone. Subject 1 stated Officer A once again came at her, and they were wrestling for the phone.

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<sup>3</sup> Attachment 16, 14:15 – 14:20

<sup>4</sup> Attachment 16, 17:19

<sup>5</sup> Attachment 16, 18:06 – 18:09

Subject 1 then stated she broke away and ran for the door, when Officer A grabbed her left arm and swung her back around to face him. Subject 1 then stated Officer A shoved her into a large mirror near the door, and the shattering glass from the mirror cut her arm, back and legs. Subject 1 stated after her arm were cut, she dropped the phone. Officer A then grabbed the phone and locked himself in his bathroom. Subject 1 stated she was telling Officer A not to erase the contents of her phone. Subject 1 then stated Officer A left the bathroom and told her he was leaving with her phone. Subject 1 stated she told Officer A he could not take her phone, and that it would be a felony if he did. Subject 1 stated Officer A told her no, and she told Officer A not to leave as he would be arrested for driving under the influence and stealing her phones.

Subject 1 stated she stood in front of the door and would not let Officer A leave. Subject 1 then stated Officer A jumped onto a dresser in his room to try and jump over a half-wall and get around her. Subject 1 stated Officer A was intoxicated, and she was worried he would fall and hurt himself, so she decided to pull on the leg of his jeans. Subject 1 stated she was knocked onto the bed behind her, and Officer A jumped on her from the dresser. Subject 1 stated she suffered cracked or bruised ribs on her right side from being jumped on by Officer A. Subject 1 stated she felt her phones in Officer A's pockets when he was on top of her, and she managed to grab one of the phones, but it was his phone she grabbed. Subject 1 then stated she tried to open the phone and then discovered it was Officer A's phone, and Officer A laughed and told her she did not have the passcode to unlock the phone. Subject 1 then stated she told Officer A she did not need the passcode to his phone to call the police, to which Officer A told her she would not call the police, and the police would not believe her as she works for the media and he is a police officer. Subject 1 then stated Officer A told her that an officer he knows may arrive and arrest her, and that she did not want to be arrested. Subject 1 stated she then told Officer A she would call "Officer B,"<sup>6</sup> and she also told Officer A that if he left she would go to his neighbors and tell them to call the police on Officer A. Subject 1 then stated Officer A gave Subject 1 her phones, and he left his residence.

Subject 1 stated she could not stop her arm from bleeding and she called Officer A at 9:54 pm. Subject 1 stated she believed Officer A was sleeping in his vehicle in his garage, but when she called him at 9:54pm she could hear him driving, and asked why he was driving as he was intoxicated. Subject 1 stated she did not call anyone else for help as she did not want anyone to know about the incident. Subject 1 further stated she asked Officer A to get her superglue to stop her arm from bleeding. Subject 1 stated she was getting lightheaded, possibly from seeing so much blood. Subject 1 said that there was blood on Officer A's walls, and she fell down for a little while and she did not know how long she was passed out. Subject 1 stated she was worried she would bleed out at Officer A's residence. Subject 1 stated she did not leave Officer A's residence earlier because she was drinking and she did not know where to walk to if she left Officer A's residence. Subject 1 stated she also did not want to leave her vehicle in Officer A's garage and she did not want to leave her belongings at Officer A's residence. Subject 1 stated Officer A did not come back to his residence that night. Subject 1 stated she left around 3:00am, and she called Officer A to ask if he had his keys to his residence, because she did not want to leave the door open as she knew Officer A had firearms at his residence. Subject 1 stated that prior to leaving she wrote a letter and left it at Officer A's residence.

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<sup>6</sup> Police Officer B, a co-worker of Officer A

Subject 1 stated Officer A called Subject 1 at 5:33 am, and he told her that he would file a police report for her stealing his police star, to which Subject 1 responded that she did not steal his police star. Subject 1 also stated Officer A stated he had his firearm on him and he wished he would have shot and killed Subject 1. Subject 1 stated she packed her stuff and moved it from Officer A's residence prior to Officer A reentering his residence. Subject 1 stated Officer A grabbed her, scratched her chest, and put her in a chokehold which is captured by the video. Subject 1 stated she also suffered scars on her arm and knee, and was "black and blue, like head to toe."<sup>7</sup> Subject 1 stated she broke her toe as well from this incident. Subject 1 further stated Officer A's property damage claims were false, and that Officer A damaged his property when he attacked her.<sup>8</sup>

**Police Officer A #XXXXXX** gave digitally recorded interviews to COPA on April 18th, 2018 and on April 23<sup>rd</sup>, 2018. In his statements, Officer A stated prior to June 14<sup>th</sup>, 2017 he had a relationship with Subject 1. Officer A stated the nature of his and Subject 1's relationship was romantic, but it was rocky for a few months prior to June 14<sup>th</sup>, 2017. Officer A described the relationship as off as of June 14<sup>th</sup>, 2017, but Subject 1 wanted to remain friends. Officer A stated he worked during the day of June 14<sup>th</sup>, 2017, but he got off work around 4 pm. Officer A stated he met Subject 1 that evening at around 8:00 pm, and she arrived at his residence of XXXX S. Dearborn Street. Officer A stated Subject 1 requested to have dinner with him that evening, and he allowed her to come to his residence. Officer A stated he let her in the door, and the two had dinner together. Officer A stated during dinner he and Subject 1 consumed one glass of wine each. Officer A stated that after dinner, he and Subject 1 took a bath together. Officer A stated that after the bath, Subject 1 told Officer A that she had a private investigator investigating him, and she told Officer A that she knew he was seeing another woman. Officer A stated he told Subject 1 he had been on two dates with another woman. Officer A stated he told Subject 1 he would sleep on the couch and she could sleep in his bed as they were not getting along. Officer A stated he was reading the news on his phone, when Subject 1 came into the living room filming him with his phone asking him about the other woman. Officer A stated when he discovered her filming him, he got up off the couch, asked her to stop, and pushed the phone away as it was close to his face. Officer A stated he did not grab Subject 1 nor did he smack her hand away. Officer A stated he saw the video at a later date, as Subject 1 had sent the video to Police Officer B.

Officer A stated that at this point, Subject 1 threw a drinking glass she had brought into his bedroom against a wall. Officer A stated he was standing five feet away from Subject 1 when she threw the glass at the wall. Officer A further stated that after Subject 1 threw the glass against the wall, Officer A asked Subject 1 to leave his residence, and she refused, to which Officer A responded that he would leave. Officer A stated that Subject 1 then moved in his room and blocked the doorway from his bedroom with her body. Officer A stated he then grabbed clothing items on the floor, climbed onto his dresser and tried to hop over his half wall to get around Subject 1 and leave. Officer A stated he has a "condo-style half wall"<sup>9</sup> in his bedroom that extends 10-15 feet high. Officer A stated that when he was trying to hop over the wall, Subject 1 grabbed the sweatshirt he was wearing, at about his middle back, and pulled him

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<sup>7</sup> Attachment 16, 36:09 – 36:11

<sup>8</sup> Attachment 16

<sup>9</sup> Attachment 27, 07:31-07:35

backwards, and he fell onto his back on his bed. Officer A stated he never fell on Subject 1, nor dove on her. Officer A stated Subject 1 then jumped on top of Officer A and reached to try and grab Officer A's phone from his hand. Officer A stated Subject 1 was on top of him, but he slipped out from underneath her and ran out of his bedroom through the bedroom door. Officer A stated he grabbed a bag in his living room and tried to leave but Subject 1 now blocked his front door with her body. Officer A stated he asked Subject 1 to move and she stated to him that he was not going anywhere. Officer A described Subject 1's demeanor as visibly angry and she was screaming. Officer A described his demeanor as nervous and scared, and he was nervous and scared because Subject 1 had just broken the glass against his wall.

Officer A stated he asked Subject 1 to move from the door and she continued to refuse to move for about a minute. Officer A then stated he was able to grab the doorknob with his hand and pry the door open, and as Officer A was opening the door, the door pushed Subject 1 away from the door. Officer A stated he was then able to exit his residence through the door, and he ran down the hallway to the garage. Officer A stated while running to the garage, he heard glass breaking, and he assumed it was his property being damaged by Subject 1. Officer A then stated he went to his garage, got in his vehicle, and left to go to his sister's residence in Beverly which took him about twenty minutes. Officer A stated that approximately seven minutes had passed from the time Subject 1 threw the drinking glass at his wall to the time he left to go to his sister's residence. Officer A stated he never made any physical contact with Subject 1 during that time nor did he ever threaten her. Officer A stated he never told Subject 1 "I wish I would have shot and killed you," he never grabbed Subject 1 about the throat, he never scratched Subject 1 about the body, nor did he ever push Subject 1 about the body. Officer A stated he highly doubted that the door caused any injury to Subject 1, because there was no impact against Subject 1's body, as her body was already against the door. Officer A stated he did not see any injuries on Subject 1's body at any time, and he never caused any injury to Subject 1. Officer A stated that there is video surveillance footage of him leaving his residence at around 9:30 pm the night of the alleged incident, and the footage also shows Subject 1 moving items out of his residence until about 3:00 am.

Officer A stated that approximately one hour after leaving his residence, Subject 1 sent him a text message, which contained a picture of her left forearm cut and bleeding, and a message stating she was very light headed and dizzy and she wanted Officer A to return and help her with her injury. Officer A stated Subject 1 also stated to him via text message that she did not want to go to the hospital or call the police because she did not want Officer A to lose his job. Officer A stated he did not know how she received that injury nor did he cause that injury. Officer A stated that after receiving that message, he ignored it, because he believed Subject 1 was unstable and unpredictable and he did not want to further a conversation with her. Officer A stated he believed this because she had broken a glass in front of him, she was "frothing at the mouth,"<sup>10</sup> she was screaming, and she had broken glass in front of Officer A in the past. Officer A stated he believed Subject 1 may harm herself because she was unstable and unpredictable.

Officer A stated he returned to his residence at 5:00 am the morning of the June 15, 2017, and he used his key to unlock the door and enter. Officer A stated Subject 1 was not at his residence when he returned, and he found everything he owned broken; his weights were thrown

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<sup>10</sup> Attachment 27, 20:03 – 20:05

on top of his television and it was broken, his lamp was shattered, his laptop computer was smashed, his bicycle was smashed, his guitar was smashed, his clothes in his closet had bleach thrown on them, several of his clothes were stuffed in his washing machine with bleach thrown on it, camera equipment was broken, drinking glasses were broken in his sink, a map was broken, his bedsheets were missing, his bed was broken, his scale was shattered, and a glass coffee table was shattered. Officer A also stated that Subject 1 had removed a six-pack of Guinness beer from Officer A's fridge and poured the beer throughout his residence to create a scene of excessive alcohol consumption. Officer A further stated that Subject 1 left a three-page letter at his residence, with the contents of the letter stating Officer A was cheating on Subject 1, that Officer A drinks alcohol too much, and that he destroyed his own property. Officer A stated his property was not in that condition when he left his residence and he assumed that Subject 1 destroyed his property. Officer A denied causing any of the property damage. Officer A stated he called Subject 1 when he got home and saw the damage, but his calls went unanswered. Officer A stated that he then texted Subject 1 asking why she damaged his property, and Subject 1 eventually responded via text message and email stating she had no idea about the damages and if he went to the police she would tell everyone he beat her.

Officer A further stated that he made a police report<sup>11</sup> for the property damage and to document the incident at the First District. Officer A stated he also notified his supervisors of what had occurred. Officer A stated he received several text messages and emails about the June 14, 2017 incident since June 14, 2017. Officer A stated the content of the text messages and emails was that if he went to the police, Subject 1 would tell everyone that he beat her up and he would be fired from the Department.

Officer A stated Subject 1 sent him multiple emails, text messages, and Snapchat messages after the alleged incident up until August 10<sup>th</sup>, 2017, and she would message him multiple times a week, with some days averaging about fifty messages in a day to just one message a day. Officer A stated that on August 10<sup>th</sup>, 2017, Subject 1 emailed two of his coworkers telling them Officer A beat her up, and Officer A then decided to file an Order of Protection against Subject 1, which was granted. Officer A stated the CCSAO<sup>12</sup> also filed criminal charges against Subject 1 for criminal damage to property and harassment. Officer A stated he told Subject 1 multiple times to stop talking to him, and she refused to stop. Officer A stated that he went to the domestic violence courthouse at 555 W. Harrison St., Chicago, IL on April 9, 2018 for Subject 1's trial. Officer A stated that the charges were dismissed on the motion of the CCSAO. Officer A stated he had verbal contact with Subject 1 in the lobby of the courthouse after the case was dismissed. Officer A stated he told Subject 1 that she should return her ex-boyfriend's property that she stole, and he told her karma will get her, to which Subject 1 responded karma had already gotten Officer A. Officer A stated that he told Subject 1 that karma would get her because he believed a higher being or force would shine bad light upon her. Officer A stated that a male and female were with Subject 1 when he told her that and he did not know them, nor did they say anything to Officer A or Subject 1. Officer A stated he told Subject 1 karma would get her out of frustration and after saying it he left the courthouse. Officer A stated he has not had any contact with Subject 1 since April 9, 2018.<sup>13</sup>

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<sup>11</sup> Attachment 7

<sup>12</sup> Cook County State's Attorney's Office

<sup>13</sup> Attachments 26, 27, 31

**b. Digital Evidence**

On January 3, 2018, Subject 1 emailed COPA a twelve second video, captured by her cellular phone. The video shows Subject 1, and she states, "Hi Officer B, I think you know who I am, and you know who this is." The video pans to the back of Officer A who states, "Oh my god." Subject 1 then states, "and the time is, 9:23 on June 14<sup>th</sup>, and he says he doesn't know you and doesn't [inaudible] to do with you." Officer A can briefly be seen reaching for the phone. The phone is moved and the footage captures movement. The video then ends. No visible injuries can be seen on Subject 1 nor on Officer A.<sup>14</sup>

On April 19, 2018, CPD's Bureau of Internal Affairs provided COPA with four short videos from Officer A's residence. The videos were taken by a surveillance camera in the hallway outside of Officer A's residence. The first video shows Officer A running out of his residence and through the hallway with a bag in his hand. The time is marked as 9:40 pm on June 14<sup>th</sup>, 2017. The second video shows Subject 1 wearing a baseball cap and Third Eye Blind t-shirt walking through the hallway, and she is carrying a shelf and bicycle tire pump. The time is listed as 2:07 am and the date is listed as June 15, 2017. The third video shows Subject 1 walking back through the hallway towards Officer A's residence. A bandage can be seen on her left forearm. The time is listed as 2:12 am on June 15, 2017. The fourth video shows Subject 1 once again leaving Officer A's residence and walking through the hallway. Subject 1 is carrying large items in both of her hands and she is wearing a backpack. The time on the fourth video is listed as 3:06 am on June 15, 2017.<sup>15</sup>

COPA captured three still images from the surveillance camera video footage in attachment 34. The first still image depicts Subject 1 wearing a hat, black t-shirt, and black pants, carrying a shelf and bicycle pump and walking away from Officer A's evidence. The first still image is time stamped at 02:07:16 and the date listed is 06-15-2017 in the top left corner. The second still image depicts Subject 1 walking through the hallway towards Officer A's residence, wearing the same attire, and with a bandage on her left forearm. The second still image is time stamped at 02:13:18 and the date listed is 06-15-2017 in the top left corner. The third still image depicts Subject 1 in the same attire walking through the hallway away from Officer A's residence, carrying two large items, one in each hand, and carrying a backpack on her back. The third still image is time stamped at 03:06:28 and the date listed is 06-15-2017 in the top left corner. All three still images contain "4<sup>th</sup> Fl 1" in the bottom right hand corner.<sup>16</sup>

**c. Documentary Evidence**

An **Initiation Report**, dated August 10th, 2017, was completed by Sergeant A #XXXX and addressed to Deputy Chief A. The Initiation Report notes the complainant as Subject 1 and

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<sup>14</sup> Attachment 19

<sup>15</sup> Attachment 34

<sup>16</sup> Attachment 37

the accused officer as Officer A. The time and date of the alleged incident is listed as 14 June 2017 at 2000 hrs. The allegation is listed as domestic battery.<sup>17</sup>

A Memorandum from Officer A to Deputy Chief A, dated June 16<sup>th</sup>, 2016, provides a narrative from Officer A regarding this incident and he provides his memorandum to Deputy Chief A of the Office of the First Deputy Superintendent.<sup>18</sup>

An Original Case Incident Report, RD #XXXXXXXX, dated details that Officer A filed a report for Criminal Damage To Property on June 15<sup>th</sup>, 2017 at 3:33 pm. The occurrence date is listed as 14 June 2017 at 20:00. The report lists Officer A as the victim and Subject 1 as the suspect. The report details property damage to Officer A's television, laptop, bicycle, clothes, guitar, video camera, and glass coffee table. The damage is listed to be a total of \$10,000 or more. The report also details an Order of Protection. The report further states that on July 26, 2017, Detective A phoned Officer A and he stated that he no longer wanted to pursue this case criminally. The report then states that Detective A requested the case be Exceptionally Clear Closed (Refuse to Prosecute).<sup>19</sup>

A Case Supplementary Report, RD #XXXXXXXX provides additional information regarding this incident. The report states that Officer A requested the investigation be reopened after he learned that an IPRA investigation had been opened on the incident. The report adds that CPD Detective B spoke to Officer A's neighbor, Civilian 1, on August 28<sup>th</sup>, 2017. The report states that Civilian 1 stated he did not recall the exact date, but it was nighttime and he heard a man and a woman arguing in Officer A's unit. The report states Civilian 1 could not identify the voices. The report further states that Civilian 1 then heard a glass hit the ground and a door close, followed by 15 to 20 minute pause then what sounded like "mayhem." The report states that Civilian 1 said the noise was super loud and lasted for about 40 to 45 minutes. The case was changed to suspended until Officer A contacted Detective B again.<sup>20</sup>

An Original Case Incident Report, RD #XXXXXXXX details that Subject 1 filed a police report for Battery – Domestic Battery Simple against Officer A. The report lists the RO arrival date as 07 February 2018 at 12:10. The occurrence date is listed as 14 June 2017 from 21:23 to 22:00. The occurrence address is listed as XXXX S Dearborn St XXX Chicago, IL. Subject 1 is listed as the victim and Officer A is listed as the suspect.<sup>21</sup>

Subject 1 provided COPA copies of emails, text messages, and of a photograph containing a picture depicting Subject 1's left forearm on January 3<sup>rd</sup>, 2018. The emails are from Subject 1 to Officer A and Officer A works with, in which she alleges Officer A battered her on the night of June 14<sup>th</sup>, 2017. The photograph shows a scar on Subject 1's left forearm.<sup>22</sup>

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<sup>17</sup> Attachment 4. There is an additional Initiation Report involving Officer A and Subject 1 marked as Attachment 5. The Initiation Report does not deal with allegations of domestic battery and is not material to this investigation.

<sup>18</sup> Attachment 6

<sup>19</sup> Attachment 7

<sup>20</sup> Attachment 30

<sup>21</sup> Attachment 28

<sup>22</sup> Attachments 9, 10

Subject 1 provided COPA with additional copies of photographs on January 3<sup>rd</sup>, 2018. The photographs depict property damage in Officer A's residence. The photographs also depict bruising on Subject 1's body, a scratch across Subject 1's chest, a bruise and cut on her knees, and a bruise and cut on her toe. One of the photographs depict Subject 1's left forearm with a cut and her arm dripping blood.<sup>23</sup>

Subject 1 provided COPA with copies of her medical records of an appointment she had with Doctor 1 on July 21<sup>st</sup>, 2017. Subject 1 provided COPA with these copies on January 3<sup>rd</sup>, 2018. The report states that Subject 1 saw the doctor for alleged domestic abuse. The report further states that Subject 1 told the doctor that her ex-boyfriend was extremely angry with her and asking for money, and the patient also stated the ex-boyfriend body-slapped her, pushed her, and Subject 1 had lacerations and bruises. The doctor's assessment states that Subject 1 had a contusion of the left upper arm, a contusion of the left front wall of the thorax, and an abrasion of her right upper arm.<sup>24</sup>

Officer A provided COPA copies of photographs. There are 17 photographs showing damage to Officer A's property. The photographs show a broken television, a broken laptop computer, bleached clothes, a broken coffee table, three pages with handwritten notes laid on a table, a broken camera, and broken glasses. The photographs show property damage throughout Officer A's residence.<sup>25</sup>

Officer A provided COPA with further copies of text messages on April 23, 2018. The text messages are from Subject 1 to Officer A. The text messages contain a photograph of Subject 1's left forearm with a cut and blood running down her left forearm. The text messages read, "Please call me. I need you to bring something that will stop the bleeding. Maybe Walgreens or CVS has that stitches glue. I'm laying down at your place, but I'm very light headed. I don't want to go to the hospital b/c I don't want you to get in trouble or lose your job b/c you had too much to drink & things got out of hand."<sup>26</sup>

Officer A provided COPA a copy of a three-page handwritten letter. The letter is written by Subject 1 and addressed to Officer A.<sup>27</sup>

## **VI. ANALYSIS**

In assessing this incident involving Subject 1 and Officer A, COPA had to examine the facts as presented through the investigation. COPA's findings are based heavily on the credibility of both Officer A and Subject 1. Undoubtedly there was an incident that occurred between Officer A and Subject 1 on June 14, 2017, however COPA cannot say by a preponderance of the evidence that it occurred as alleged.

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<sup>23</sup> Attachment 18

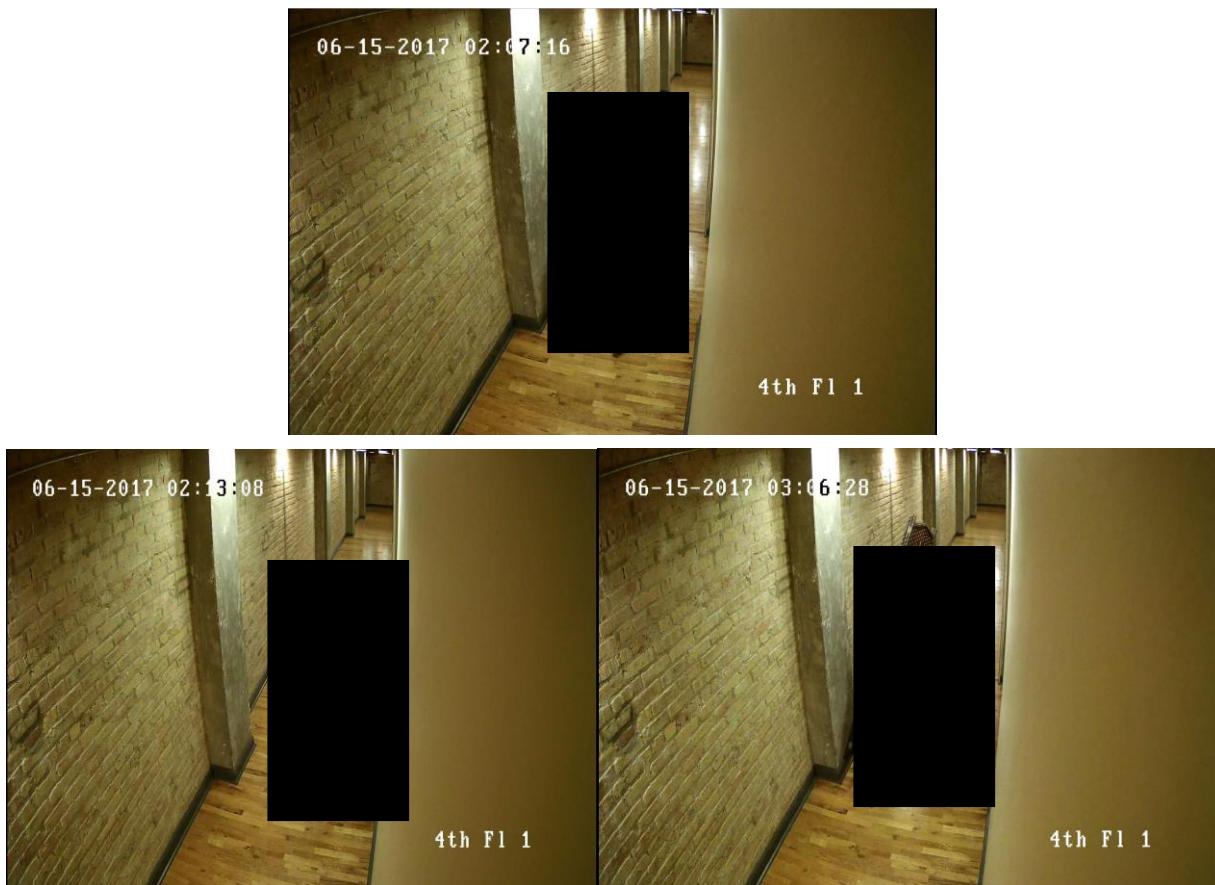
<sup>24</sup> Attachment 17

<sup>25</sup> Attachment 11

<sup>26</sup> Attachment 35.

<sup>27</sup> Attachment 36.

In evaluating the story as presented by Subject 1, COPA cannot reconcile it with the evidence gained through this investigation. Subject 1 alleges that she was injured so badly by Officer A that she was bleeding profusely, passed out and had multiple injuries. However, COPA obtained video that shows Subject 1, after she was allegedly badly injured by Officer A, walking calmly down the hallway of Officer A's building, carrying various large furniture items as seen in the still images shown below.



In spite of Subject 1's claims that her toe may have been broken, in the video her gait does not appear labored, nor does she appear to be wincing in pain as she transports the various pieces of furniture. In addition, Subject 1 intimated to COPA that she was worried that she would "bleed out" while at Officer A's home, however she never called for an ambulance nor did she attempt to seek any other medical attention. Instead, Subject 1 remained at Officer A's home for several hours, despite not knowing if and when he may return. Moreover, Subject 1 had the wherewithal to handwrite a three-page letter to Officer A, despite her claims of injury.

COPA was provided with photographic evidence of injuries to Subject 1, and also photographs of damage to Officer A's home. Officer A alleged that the damage was caused by Subject 1. As seen in the photographs, several glass items were broken. Subject 1 claims that Officer A caused her injuries, but COPA cannot say that it is more likely than not that she received those injuries at the hands of Officer A. If Subject 1 did in fact cause the extensive property damage as alleged by Officer A, it would stand to reason that she may have cut herself and/or bruised herself during the destruction.

COPA found no evidence to support Subject 1's version of events. In fact, the evidence garnered through this investigation, including Subject 1's own behavior, shows that she lacks credibility. In addition, when Officer A petitioned for an order of protection, it was granted and charges were filed wherein Subject 1 became the respondent of an order of protection and a criminal defendant with respect to this incident. While the criminal case and order of protection were dismissed eventually, COPA would remiss if it ignored the fact that a sitting Cook County judge found a basis to both grant the order of protection and allow the criminal charges to be filed against Subject 1.

Additionally, despite her claims, Subject 1 did not call the police to report the alleged actions of Officer A. COPA acknowledges that in domestic violence situations, there may be a hesitancy to contact the police and this may be especially true in situations where the partner is a member of law enforcement. However, at some point, Subject 1 did in fact reach out to members of CPD to provide her version of the incident. It just so happens that the members she reached out to were female officers that may or may not have had intimate relations with Officer A. Moreover, Subject 1 did eventually file a police report for this incident, but that was not until February 7, 2018, well after the incident, after her COPA interview, and after she was already being criminally prosecuted. COPA opines that the steps taken by Subject 1 were retaliatory, and not based on her status as a survivor of domestic violence.

In examining Officer A's credibility, COPA looked at his behavior and the evidence surrounding the incident. The independent witness, Civilian 1, provided a story that corroborates Officer A's version. Civilian 1 stated that he heard a man and a woman arguing, heard a glass break and a door close and then mayhem after about 15-20 minutes.<sup>28</sup> It is more probable than not that the door that Civilian 1 heard was Officer A leaving his apartment, and the "mayhem" was Subject 1 destroying the property in Officer A's apartment. There is no dispute that Officer A left his apartment and went to his sister's home after an altercation with Subject 1. In the hallway surveillance video, he is seen running down the hall, presumably away from his apartment. It is uncontroverted that he did not return home while Subject 1 was still there.

According to Officer A, once he did return to his home, he saw the property damage. Officer A made a police report contemporaneous with the incident and also took photographs documenting the damage. Officer A also took steps to let his superior officers know about the incident by way of writing a memo. All of the steps that Officer A took, taken in totality, lend credence to his version of the incident.

Officer A denied stating to Subject 1, "I wish I would have shot and killed you." COPA did not find any corroborating evidence to suggest that he indeed said those words to Subject 1. As such, COPA cannot prove or disprove that it happened.

Officer A admitted that he made the statement regarding "karma" to Subject 1. While, ill advised, there is no evidence to suggest that it was a threat.

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<sup>28</sup> Attachment 29

## VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

<b>Allegation</b>	<b>Finding</b>
Police Officer A	
1. It is alleged that on June 14, 2017, at approximately 9:23 PM at XXXX S. Dearborn St., Chicago, IL, Officer A stated to Subject 1, "I wish I would have shot and killed you."	Not Sustained
2. It is alleged that on June 14, 2017, at approximately 9:23 PM at XXXX S. Dearborn St., Chicago IL, Officer A grabbed Subject 1 about the throat.	Unfounded
3. It is alleged that on June 14, 2017, at approximately 9:23 PM at XXXX S. Dearborn St., Chicago IL, Officer A scratched Subject 1 about the body.	Unfounded
4. It is alleged that on June 14, 2017, at approximately 9:23 PM at XXXX S. Dearborn St., Chicago IL, Officer A pushed Subject 1 about the body.	Unfounded
5. It is alleged that on April 9, 2018, at approximately 9:15 AM at 555 W. Harrison St., Chicago, IL, Officer A threatened Subject 1 by stating something to the effect of, "Karma is going to get you Subject 1. Karma is going to get you."	Unfounded

Approved:

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*Acting Deputy Chief Administrator A*

Date

**Appendix A**

## Assigned Investigative Staff

<b>Squad #:</b>	XX
<b>Investigator:</b>	Investigator A
<b>Supervising Investigator:</b>	Supervising Investigator A
<b>Acting Deputy Chief Administrator:</b>	Acting Deputy Chief Administrator A